

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

-----	X	
SAMUEL JOHNSON, in his individual	:	
capacity and JILL JOHNSON, in her	:	Case No. 3:22-cv-00295
individual capacity,	:	
	:	District Judge William L. Campbell, Jr.
Plaintiffs,	:	Magistrate Judge Barbara D. Holmes
	:	
v.	:	
	:	
KATHY GRIFFIN, in her individual capacity,	:	
	:	
Defendant.	:	
-----	X	

**MOTION TO DISMISS THE COMPLAINT FOR LACK OF
PERSONAL JURISDICTION AND FAILURE TO STATE A CLAIM, AND
TENNESSEE PUBLIC PARTICIPATION ACT PETITION**

Defendant Kathy Griffin ("Ms. Griffin") respectfully moves the Court to dismiss the Complaint in this action for the following reasons:

1. The Court lacks personal jurisdiction over Ms. Griffin. The Complaint therefore should be dismissed pursuant to Fed. R. Civ. P. 12(b)(2).
2. In the alternative, the Complaint fails to state a claim upon which relief may be granted, and therefore should be dismissed pursuant to Fed. R. Civ. P. 12(b)(6).
3. In the event the action is not dismissed on jurisdictional grounds, and in the event that Tennessee law applies, then the Complaint is subject to dismissal under the Tennessee Public Participation Act, Tenn. Code Ann. section 20-17-101 *et seq.* and fees/costs should be awarded.

In support of this Motion and Petition, Defendant has filed a supporting brief.

Respectfully submitted,

GREENBERG TRAURIG, LLP

Michael J. Grygiel

Cynthia E. Neidl

54 State Street, 6th Floor

Albany, New York 12207

Tel: (518) 689-1400

Fax: (518) 689-1499

grygielm@gtlaw.com

neidlc@gtlaw.com

GREENBERG TRAURIG, LLP

Adam Siegler

1840 Century Park East, Suite 1900

Los Angeles, California 90067

Tel: (310) 586-7700

Fax: (310) 586 7800

sieglera@gtlaw.com

WALLER LANSDEN DORTCH & DAVIS, LLP

by: /s/ Robb S. Harvey

Robb Harvey (TN Bar No. 01159)

511 Union Street, Suite 2700

Nashville, Tennessee 37219

Tel: (615) 850-8859

Fax: (615) 244-6804

robb.harvey@wallerlaw.com

Attorneys for Defendant Kathy Griffin

(Pro hac vice applications to be submitted.)

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2022, a copy of the foregoing was filed electronically using the Court's Electronic Case Filing (ECF) system. Notice of this filing is expected to be sent by operation of the Court's ECF system to the following counsel of record:

Todd V. McMurtry

J. Will Huber

HEMMER DEFRANK WESSELS, PLLC

250 Grandview Drive, Suite 500

Fort Mitchell, KY 41017

tmcmurty@hemmerlaw.com

whuber@hemmerlaw.com

Lyndsay Smith

SMITH, PLC

311 22nd Avenue North

Nashville, TN 37203

lsmith@smith-plc.com

/s/ Robb S. Harvey